

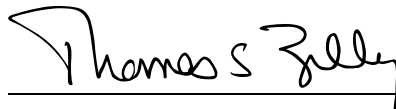
01
02
03 UNITED STATES DISTRICT COURT
04 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 KERRY ALLEN,) CASE NO. C09-0424-TSZ
06)
06 Plaintiff,)
07)
07 v.) ORDER OF DISMISSAL
08)
08 RICHARD PENNINGTON,)
09)
09 Defendant.)
10 _____)

11 The Court, having reviewed the Report and Recommendation of the Honorable Mary
12 Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and
13 ORDER:

- 14 (1) The Court adopts the Report and Recommendation;
15 (2) This matter is DISMISSED, without prejudice, for failure to prosecute pursuant
16 to Local Rule CR 41(b)(2); and
17 (3) The Clerk is directed to send copies of this Order to plaintiff at his last known
18 address, and to the Honorable Mary Alice Theiler.

19 DATED this 18th day of September, 2009.

20 
21 _____

22 Thomas S. Zilly
United States District Judge